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JH

PATENT

Attorney Docket 056707-5002-03US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gregory M. Glenn *et al.*** )  
 )  
Application No. **09/266,803** ) Group Art Unit: **1644**  
 )  
Filed: **March 12, 1999** ) Examiner: **Ewoldt, Gerald R.**  
 )  
For: **Adjuvant for Transcutaneous Immunization** )

U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, **Mail Stop Amendment**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**AMENDMENT AND REPLY TRANSMITTAL FORM**

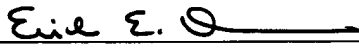
1. Transmitted herewith is an Amendment and Reply Under 37 C.F.R. § 1.111 in response to the Non-final Office Action dated September 27, 2004.
2. Additional Papers Filed:  
(i) Terminal Disclaimer (Reference Application No. 09/337,746)  
(ii) Copy of Third Preliminary Amendment filed December 21, 2004 (10/633,626)
3. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a Petition therefor.
4. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	30	minus	97	0	\$50 each=	0.00
Independent Claims	2	minus	6	0	\$200 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						0.00
TOTAL FEE =						\$0.00

5. Fee Payment: The Commissioner is hereby authorized to charge **\$130.00** to Deposit Account No. 50-0310 for payment of the statutory disclaimer fee.
6. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **December 21, 2004**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
Erich E. Veitenheimer  
Registration No. 40,420



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Attorney Docket 056707-5002-03US

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U.S. Application No. <b>09/266,803</b>	)	Group Art Unit: <b>1644</b>
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Filed: <b>March 12, 1999</b>	)	Examiner: <b>Ewoldt, Gerald R.</b>
	)	
For: <b>Adjuvant for Transcutaneous Immunization</b>	)	

**AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.111**

This response and amendment is filed in response to the Office Action dated September 27, 2004. The due date for reply, with no extensions of time is **December 27, 2004**. In response to the Office Action, please amend the above referenced application as follows:

**Amendments to the Claims** are reflected in the listing of the claims which begins at page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.